REMARKS

Applicants amend claims 1-6, 17-20, 22-25 and add new claim 29 as indicated above in the listing of the claims. Support for the amendments and the new claims can be found throughout the specification. Thus, no new matter is added. As discussed in detail below, the application is believed to be in condition for allowance. Reconsideration and allowance are respectfully requested.

Rejections under 35 U.S.C. § 102(e)

The Office Action rejects claims 1-3, and 17 as being anticipated by U.S. Patent No. 6,539,425 of Stevens et al.

Claim 1, as amended, recites a method of establishing a path for data transmissions in a network device that has a plurality of possible internal paths. The method calls for defining a configuration policy designating internal connection paths within the device, and establishing one or more internal connection paths through the device based upon the configuration policy.

Stevens is directed to a system for establishing data paths between network devices and data stores containing device configuration information. For example, a policy manager connected to a plurality of network devices can establish data paths between each network device and data stores containing device configuration information and policy definitions.

Stevens does not teach or suggest establishment of connection paths *internal* to a network device based on a pre-defined policy. It is rather concerned with establishing *external* paths between a network device and data stores from which the device can receive general policy configuration data.

Hence Stevens fails to teach salient features of claim 1 and its concomitant advantages. For example, the ability to choose between possible internal paths in a network device, based on a pre-defined policy, can provide enhanced flexibility and reliability in forwarding data from one internal subsystem to another. By way of example, priority of data and availability of internal resources can be considered in establishing such internal connections.

Thus, claim 1 and claims 2, 3 and 17, which depend on claim 1, distinguish patentably over Stevens.

Claims 2, 3, and 17 depend, either directly or indirectly on claim 1, and hence contain the features of claim 1. Hence, similar to claim 1, these claims are also patentable over Stevens.

Rejections under 35 U.S.C. § 103(a)

The Office Action rejects claims 4 and 5 as being unpatentable over Stevens in view U.S. Patent No. 6,578,076 of Putzolu.

Claims 4 depends on claim 1 and further recites that the configuration policy may be dynamically changed within the network device; claim 5 depends on claim 1 and further recites the step of changing established internal connection paths through the network device based upon a configuration policy and changing resource needs.

As noted above Stevens fails to teach establishing *internal* connection paths within a network device based on a configuration policy – a feature recited in claim 1 and hence present in claims 4 and 5 that depend on claim 1. In addition, Stevens fails to teach additional features of claims 4 and 5. In particular, Stevens does not teach a configuration policy for establishing internal connection paths that can be *dynamically* changed. Nor does it teach changing established internal connection based upon a configuration policy and changing resource needs.

In addition, Putzolu fails to cure the shortcomings of Stevens. Putzolu is generally directed to a policy-based network management system in which a policy server can communicate policies regarding the use of network resources, e.g., access to a network database, to policy clients that are responsible for enforcing them. The policies, however, are not related to establishing internal connection paths within a network device, but are rather directed to rules for accessing network resources, e.g., whether a network device (e.g., a router) can accept a request for bandwidth reservation received from an application desiring access to a database.

Thus, claims 4 and 5 are patentable over the combined teachings of Stevens and Putzolu.

Rejections under 35 U.S.C. § 102(b)

The Office Action rejects claim 6 as being anticipated by U.S. Patent No. 4,994,963 of Rorden et al.

Claim 6 recites a method of establishing data transmission paths through a cross-connection card that includes establishing internal connection paths through the cross-connection card based on a configuration policy.

Rorden is directed to a system for providing a digital communication path between a host computer and one or more remote computers by installing a host interface in the host computer and a remote interface in the remote computer. Digital data and control signals can be transferred from the bus of the host computer to one of the ports of the host interface. In a similar fashion, digital data and control signals can be transferred from the bus of each remote computer to a port of a corresponding remote interface. A cable interconnects one of the host ports to each remote port. In this manner, a communication link is established between the central processor of a host computer and the central processor of a remote computer.

Rorden does not teach or suggest a method of establishing *internal* connection paths through a cross-connection card within a network device, but rather teaches the establishment of a communication path between a host computer and a remote *external* computer. In other words, the communication paths established in Rorden are not through a cross-connection card internal to a network device, but are rather between two separate devices and hence *external* to each device.

Accordingly, claim 6 distinguishes patentably over Rorden.

Additional Rejections under 35 U.S.C. § 103(a)

The Office Action rejects claims 7-16 and 18-28 as being unpatentable over Rorden in view of Putzolu.

Claims 7-16, 18-22, and 26-28 depend, either directly or indirectly, on claim 6, and hence incorporate its patentable features. As discussed in detail above, Rorden fails to teach a

salient feature of claim 6, namely, establishing internal connection paths through a cross connection card of a network device. Nor does Putzolu provide any teachings regarding establishing such internal connection paths, as discussed in detail above. Accordingly, these claims distinguish patentably over combined teachings of Rorden and Putzolu.

Claim 23, as amended, recites a computer network device that includes a cross-connection card with a plurality of programmable paths internal to the device, and a configuration policy file stored in the device. The network device further includes a policy provisioning manager that utilizes the configuration policy file to program the paths in the cross-connection card.

Neither Rorden nor Putzolu does teach a network device having a cross-connection card capable of establishing a plurality of internal connection paths based on a configuration policy, as recited in claim 23. Hence, claim 23 is patentable over the teachings of these two patents.

Claims 24 and 25 depend on claim 23 and hence incorporate its features. Claim 25 further recites additional features not taught by either Rorden or Putzolu, such as a plurality of forwarding cards including a plurality of ports coupled to the cross-connection card and a plurality of physical cards including a plurality of ports coupled to the cross connection card such that the programmable paths connect ports of the forwarding cards with particular ports of the physical cards. Hence, similar to claim 23, claims 24 and 25 are also patenable.

New Claim

Support for new claim 29 can be found in the original claims (e.g., claims 23 and 25) and throughout the remainder of the specification. Thus, no new matter is added. The arguments presented above apply with equal force to establish that claim 29 is also patentable.

CONCLUSION

In view of the above remarks, Applicants respectfully request reconsideration and allowance of the application. Applicants invite the Examiner to call the undersigned at (617) 439-2514 if there are any remaining issues.

Dated: September 15, 2004   Respectfully submitted,

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